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SCOTLAND: BACK INTO THE CLOSET?

THE EDITORS

The *Scottish Government Yearbook 1980* is the fourth in our series. Since we published the 1979 *Yearbook* Scottish politics and government have undergone much change. All our previous *Yearbooks* were written when there was a prospect that a directly elected Assembly would sit in Edinburgh to control the Scottish Office. This prospect was the central political concern of Scottish government during the recent Parliament (1974-79) and this centrality was reflected in our volumes. This hope or spectre has now passed. The Scottish people did not vote for the Government's plans, embodied in the Scotland Act, in sufficiently large numbers on 1 March 1979 for the Act to be implemented. Further, in the subsequent General Election the British people returned to power the only party, the Conservative Party, which had campaigned for a "No" vote in the referendum. For these reasons devolution will not dominate the recently elected Parliament, nor will we have an elected forum for the discussion of Scottish politics for the next four or five years. However, there has been more to the change in Scottish politics than that.

The recent General Election saw a government elected in Westminster which lacked a majority in Scotland. More to the point, the Conservative Party had a safe majority in Parliament but only twenty-two of the seventy-one Scottish parliamentary seats. This means that the team of Scottish Office Ministers will have a weaker hand to play in the centre of power than their Labour predecessors. They will be taken less seriously in Whitehall and will find it more difficult to get Westminster's decisions taken seriously in Scotland. It is no criticism of the present Scottish Office team led by Mr George Younger to say that they will have much less leverage than did Mr Bruce Millan and his colleagues.

It was frequently said during the 1974-79 Parliament that

Scotland and Wales were taken seriously because Labour and Conservative leaders had been shaken by the rise of the Nationalist parties. This was a half truth. Certainly they were taken seriously for this reason, but both also benefited from the double fact that they had elected a majority of MPs to the Government party and that that party had only a small majority — later a minority — in the House of Commons. Scotland's success in demanding increasingly favourable treatment from the centre depended on the parliamentary weakness of a government beholden to Scotland. Had the General Election of February 1974 led to a large overall Labour majority it is safe to assume that nothing would have been done about devolution or about Scotland — for example, the Scottish Development Agency might well not have been created. Had the Labour Government elected in October 1974 with a bare majority won a large majority, the Government might well have treated its commitment to devolution as it treated its commitments to open government and a wealth tax. Because the present Government is secure in its parliamentary position and not particularly beholden to Scotland, it need do little for Scotland and Scotland is unlikely to figure prominently in British politics for the next few years.

This is a bleak prospect. It is not simply bleak in the sense that the future does not offer us great hope of advance. It is bleak in that the larger issues of Scottish politics may not be much discussed; and the major decisions affecting Scotland will be taken, once again, in private and in secret.

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This year we publish three papers on the referendum. The first, by Ray Perman, analyses the campaign itself. The second, by Michael Brown, analyses the effects of the Press on that campaign. Perman points to the divisions within the "Yes" side as one reason for the victory of the "Nos". Divided, the "Yes" side certainly was. Devolution had become not just a political issue but a party issue and the "Yes" and "No" men of each party wanted to run their own show and not share credit or platforms with members of other parties. This had a more damaging effect on the "Yes" campaign than on the "No". The "Nos" appeared separately to say much the same things: the "Yes" had different messages. The Nationalist "Yes" people

made the Scottish argument: devolution was important for Scottish self-respect and as a step to Scottish self-rule. The Labour (and Conservative) "Yes" people needed to distance themselves from this argument. For them the point was that devolution would lead to democratic control of the Scottish Office and, by making the government of Scotland more responsive to its people, guarantee the unity of the United Kingdom. The incompatibility of these two arguments hurt just because the Nationalists succeeded in getting their point across — and hence raised the fears of the anti-separatist majority — while the Labour democratic argument seems never to have penetrated at all. Many voters must have thought that only the SNP were in favour of the Government's Act. Michael Brown's careful analysis of the Press shows just why the "Yeses" were foolish to conduct so many campaigns: the Press was not going to give them enough space to develop these relatively sophisticated differences. Furthermore, he points to the fact that the "Nos" managed to dictate the issues on which the referendum campaign was fought, thus quite possibly neutralising the pro-devolution stance of the majority of the Scottish Press.

In our third paper on the referendum, Chris Baur argues that this form of popular consultation is in danger of being discredited. Indeed the various *ad hoc* arrangements came close to bringing the whole electoral process (and not least the electoral register) into disrepute. Is there any other advanced industrial state which would invoke such an untried and ill-considered device to adjudicate on an important constitutional issue? If the devolution referendum leads to a reconsideration of the electoral system and the role of referenda in British politics it will at least have accomplished some positive good.

The loss of face the Government suffered when the results were announced (particularly in Wales) led to the May 1979 General Election. Without the prospect of devolution the Government lost the support of the Nationalists of both Scotland and Wales. It did not take long for the Conservatives to put together the coalition of anti-Government House of Commons votes which brought the Government down. We are pleased to publish here, for the first time, an account of the crucial meeting within the SNP parliamentary group which led to their decision to put down a motion of no confidence in the Government. The divisions within the parliamentary group which James

Naughtie reveals in his piece are all too credible: few parties are the monoliths they like to appear in public. But these divisions within the SNP confirm the ineffective impression that party gave throughout the 1974-79 Parliament.

In Scotland at the subsequent General Election, as Peter Hetherington points out, Labour won the battle. It had all the ammunition and the larger army. Thanks to its devolution stand it could no longer be labelled anti-Scottish, and thanks to the plans of the Conservatives it looked the better bet for the people of the depressed parts of central Scotland. Labour's problems will come in the longer term: will it be able to promise devolution at a future General Election, having failed to carry it through this time? Hetherington also points to the weakness of the SNP campaign: this was quite a surprise after its success in 1974. When the going got rough, the party faltered.

In many ways the biggest talking point of 1978-79 was decline of the SNP. This can be overstated. Although its 17.3% of the poll in the General Election was quite a comedown after the 30% of October 1974, it is not a bad result on which to build. The fact that the SNP was reduced to two seats is as much a reflection of our electoral system as of its performance. But these comments cannot hide the fact that the SNP failed to live up to its boundless promise of 1974 and is now a much-reduced party. However, the electoral failure of the party had given its left wing the spur to open a campaign to move the party away from its present right-wing bias. This struggle for the soul of the party may have significant long-term consequences for the future not only of the SNP, but also of Scottish politics in general. The Labour Party has never seriously been challenged for the votes of the working class. If it were to be challenged, all sorts of interesting vistas would open up. But for the time being the Left within the SNP remains very much a minority.

II

Perhaps the most significant long-term effect of the year's political events will be a change in the focus of political debate in Scotland. Because the recently elected Government has a secure majority and because it has little stake in Scotland, Scottish politics will be much less newsworthy than during the last Parliament. The important battles will be fought out in private. This change of emphasis poses a challenge for the

Yearbook. We began by wanting to illuminate the workings of Scottish administration and government; to bring light on the dark quarters. Now such light will be needed more than ever.

Our suspicion is that one of the most important arenas of Scottish politics over the next few years will be the Rate Support Grant negotiations. The present Government was elected on a promise to reduce public spending. It never hid its intent. But neither this Government nor its Labour predecessor (which also cut public spending, after being forced to by the IMF) has been willing to face the full consequences of its decision. Governments are inescapably tempted to make the local authorities take the blame for government decisions and make some of the hardest choices. This problem arises because local government employs large numbers of people in public services, many of whom, such as teachers, environmental health inspectors and firemen, are required by statute. Many of the salary and other costs of these public employees are paid for by the central government. Each year central government negotiates with local government over the level of central support for local services: these negotiations are the Rate Support Grant (RSG) negotiations. If central government brings down its Rate Support Grant, as this one has announced that it intends to do, local government is faced with the choice of cutting services and staff or raising rates — and probably will do a bit of both.

We have a Conservative government. The body with which it will negotiate the RSG is the Labour-dominated Convention of Scottish Local Authorities (COSLA). Scotland, unlike England, and unlike Scotland before the recent reform of local government, has just one body to negotiate with central government. Yet despite the fundamental importance of the issues to be decided, these negotiations will be conducted in private and will receive little Press coverage (though the losing side may leak the contents to the Press). If governments were less obsessed with secrecy, more could be known and public support for government might be encouraged. As it is, cynicism will grow.

Too little is known about the working of government in Scotland. Chris Allen in his trenchant analysis of the available literature makes the all too pertinent point that studies of administration tend to substitute details for analysis. Allen's own analysis of the failure of Scottish political science can hardly

be accused of that — for all that this *Yearbook* has been consistently, and is again this year, aided by his lengthy bibliographies. We are, however, delighted to offer a paper this year by Colin Wiseman which goes some way to filling one of the most annoying gaps: lack of analytical studies about the Scottish Office. Wiseman's paper, "Policy Making of the Scottish Health Services at National Level", is, as far as we know, the first paper to analyse policy-making in the Scottish Office on the basis of first-hand observation.

Wiseman's picture of the Scottish Home and Health Department operations is not entirely flattering. His main concern is that long-term policy-making in the department hardly exists: too much time is consumed by responding to emergencies as they arise. The department is a GP to an elderly, much scared patient. Wiseman would have it perform a more considered, more rational, less harassed role. There are, of course, many objections to Wiseman's view. Perhaps the most fundamental is that one cannot plan when one doesn't know what one is planning for. Since our culture lacks a generally agreed definition of health it is hardly fair to blame Civil Servants for failing to make us healthy. The other main objection is constitutional. Wiseman wants greater public control of and accountability by the Health Service in Scotland. His chart (fig. 1) gives away the present game: in it the Secretary of State and the Ministers are shown to be but one pressure group amongst many. Wiseman's chart is, we do not doubt, accurate: it is also shameful in a country that purports to be a democracy.

Wiseman's paper about policy-making in the SHHD differs in intent and compass from Mary Macdonald's paper about the Scottish Office in the last twenty-five years. In 1957, as part of the new Whitehall series on British Ministries, George Allen & Unwin published a description of the Scottish Office by Sir David Milne. Sir David was, at the time, the Permanent Under-Secretary of State (i.e. the chief Civil Servant) in the Scottish Office. Despite its age and the considerable changes which have occurred in the operation of the Scottish Office since 1957, Sir David's is still the standard work on the subject. During 1978, when it looked as if the devolution legislation would be implemented, the Scottish Office approached us with the offer of a paper from the inside which would update Sir David's book on the eve of the Office's anticipated transformation. We

agreed to publish such a piece and the Scottish Office put Mary Macdonald (a retired Assistant Secretary from the Scottish Office) and a research assistant, Adam Redpath, onto writing it for us. We publish their paper here. We think its account of the changes made will provide a useful baseline for future studies of the Scottish Office during this period of rapid change. Any analysis of the change must begin with an accurate picture of what has been done.

With the record straight it is possible to see where future research ought to begin. We need to know more about the relations between the Scottish Office and the Whitehall Ministries. Outsiders commonly assert that the Scottish Office lamely follows the lead given in England. On detailed technical matters this assertion may be difficult to contradict, but on more general policy lines this outsiders' perception is hotly contested from within the Scottish Office and by Miss Macdonald in her paper. We need studies of certain policies to see how this relationship works. We also need to know more about the internal workings of the Scottish Office, particularly about the question of the co-ordination of the several departments of the Scottish Office. The degree of departmental pride of people in the SDD, for instance, leads one to suspect that co-operation is not what it seems — and Wiseman's paper lends some support to this suspicion. We need to know more about it. There are questions about the relationship between the Scottish Office and the large number of QUANGOs which operate under its auspices. The accountability of these QUANGOs, as well as the degree and manner of Scottish Office influence and control of them, is a neglected field. Raymond Williams has recently written a most useful critical piece about the operations of the Arts Council, of which he is a member (*Political Quarterly*, Spring 1979). We need something similar for Scottish bodies.

It is no secret that the relationships between the Scottish Office and the local authorities are not always smooth — but why not, and can anything be done about it? In her paper Miss Macdonald shows that the Scottish Office has divested itself of many small executive responsibilities — such as running farms — in recent years. One can't help wondering what happens to the Civil Servants who used to perform these tasks or to supervise those who performed them. Can they be fitted into the quite different work of the rest of this large government department

or not? There is also the related question of precise Scottish Office control of local government. Miss Macdonald points out that the departments have been divesting themselves of these controls too. This is certainly commendable, but is it not then a bit odd that the Scottish Office continues to employ so many professional Civil Servants, such as Inspectors of schools (we have as many as England and Wales together), architects and nurses? What do these professional staff do if they do not advise on very precise detailed execution of policy?

We are likely to have a new parliamentary Select Committee to shadow the Scottish Office. Surely someone will investigate the work of this committee and compare it with some of the other parliamentary Select Committees? How much difference does the personality and the political weight carried by the Secretary of State for Scotland make? We harbour the suspicion that life is easier for Labour Secretaries of State because their party owes more to Scotland. But is it this sort of calculation of the weight of the administrative machine which wins arguments in Whitehall? We are asked by the Scottish Office to believe that it has a closer understanding of our needs and resources than the English Ministries have of their clients. Is this true?

In suggesting that these questions remain to be answered we are not simply blaming the Scottish Office. The point made by Chris Allen about the feebleness and patchiness of academic work is relevant here. Our impression is that the Scottish Office is actually rather good, and certainly much better than it used to be, at providing access (to people like Mr Wiseman, for example) though it is still very touchy about what gets published.

We must not, however, become obsessed with investigating the workings of the machine. It is the product which matters most of all, and this year we continue our series about the social and economic policies of government in Scotland with three papers on specific areas of policy-making. The first is a proposal by Mike Adler and Edward Woznick for an entirely new way of settling debt. This is a serious human and social problem in Scotland. A good proportion of our prisoners are in jail for the failure to pay debt. Other features of the debt collection system are also most unsatisfactory and humiliating to the people involved. Adler and Woznick call the present judicial basis of the system into question given that the facts of the case —

how much is owed, and whether the debt is admitted — are rarely in question. They propose a new system for Scotland which, if adopted, would put us ahead of other countries in this area where we now lag.

John Godfrey and Norman Godman contribute a paper to this year's *Yearbook* which makes proposals in another area of government policy: the Scottish fishing industry. Their proposal for a Common Fisheries Policy is the first we have published which puts Scottish policy into a European context. But as Godfrey and Godman show, it no longer makes sense for any one nation to try to have its own fishing policy. International co-operation is needed if we are to retain a fishing industry and the fish on which it is dependent.

G. A. Mackay contributes the third paper on public policy — in this case energy policy. This is a matter not directly for government but for a number of QUANGOs — the electricity supply boards, the National Coal and Gas Boards and the nuclear power industry. Mackay notes that an increased emphasis on indigenous fuels, particularly coal with its high use of skilled manual labour, is desirable on social grounds. He also argues that the increasingly public debate about energy needs and energy usage which has marked Scottish discussion over the past few years is an encouraging sign which has led to slower but better policy decisions. Once again the danger of secret and private policy-making is emphasised.

This danger and the prospect that Scottish politics and Scottish public life might go back into the closet from which it emerged in the late sixties is the biggest threat posed to us. Our first *Yearbook* was subtitled, in a paraphrase of the Government's then infamous devolution White Paper: "Our Changing Scotland". If Scotland goes back into the closet we might title next year's book "Our Unchanging Scotland". But there are already some signs that we will not have to do this. The pessimists have been heard too often lately. Despite the failure of the devolution legislation, public life in Scotland changed during the 1974-79 Parliament in ways which will bring about further changes. The most important administrative change was the creation of the Scottish Development Agency (SDA) and with it the admission by British government that Scotland's economy could not be wholly run from London. The long-term implications of this admission and the large sums of government money

now being used to back it up are considerable. Moreover, the creation of a highly viable government agency in Scotland will only serve to increase the demand for some form of directly elected Scottish body to scrutinise the Scottish Office.

At the same time, and notwithstanding the pain of the process, the politics of Scotland have changed considerably in the last five years. The Labour Party has now recovered its commitment to elective devolution and in some respects looks no less nationalist than the SNP. This reconversion by the party which holds the majority of Scottish seats and governs most major Scottish towns is more important than is often realised. The traumas of conception and rebirth belie the health of the bairn, and her importance. Three of the four political parties in Scotland which hold seats in Westminster are committed to devolution. Together these parties won 68% of Scottish votes at the 1979 Election and they hold forty-nine of Scotland's seventy-one parliamentary seats.

Again, during the course of the recent Parliament there was a steady stream of government agencies which felt compelled to open up Scottish branches or create semi-autonomous Scottish regions. A recent example of such devolution of administrative power was the creation of the Scottish Council of the Council of National Academic Awards (CNAA). This devolution is a small step but it is a sign of the way things are moving.

Finally, there was the devolution legislation and referendum. For all that the "No" side won the day on March 1, they did not win all of the arguments. The democratic accountability argument put by some in the "Yes" camp — which would have been so much more effective had John Mackintosh lived — was never countered by the "Nos". Even the No-dominated Conservative Government will want to do something about this. If they don't, they make it easier for their enemies to do something really radical next time the wheel turns and the Conservatives are out of power.